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Tenth emergency special session
Agenda item 5

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[Without reference to a Main Committee (A/ES-10/L.2/Rev.1)]

ES-10/3. Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

The General Assembly,

Having received with appreciation the report of the Secretary-General,[1]

Recalling all relevant United Nations resolutions,

Reaffirming its resolution ES-10/2 of 25 April 1997,

Having been informed in the report of the Secretary-General that, inter alia, the Government of Israel, as of 20 June 1997, has not abandoned its construction of the new Israeli settlement at Jebel Abu Ghneim and that settlement activity, including the expansion of existing settlements, the construction of bypass roads, the confiscation of lands adjacent to settlements and related activities, in violation of Security Council resolutions on the matter, continues unabated throughout the Occupied Palestinian Territory, and also that the Israeli Prime Minister and other representatives of the Government continue to reject the terms of resolution ES-10/2 requiring the cessation of those activities,

Aware that, in the light of the position of the Government of Israel, as indicated in the report of the Secretary-General, the General Assembly should once more consider the situation with a view to making additional appropriate recommendations to States Members of the United Nations, in accordance with General Assembly resolution 377 A (V) of 3 November 1950,

[1] A/ES-10/6-S/1997/494 and Corr.1 and A/ES-10/6/Add.1-S/1997/494/Add.1.

1. Condemns the failure of the Government of Israel to comply with the demands made by the General Assembly at its tenth emergency special session in resolution ES-10/2;

2. Strongly deplores the lack of cooperation of the Government of Israel and its attempts to impose restrictions upon the intended mission of the Special Envoy of the Secretary-General to Israel and the Occupied Palestinian Territory, including Jerusalem;

3. Reaffirms that all illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory, especially settlement activity, and the practical results thereof cannot be recognized, irrespective of the passage of time;

4. Reiterates the demands made in resolution ES-10/2, in particular for the immediate and full cessation of the construction of a new settlement at Jebel Abu Ghneim, to the south of Occupied East Jerusalem, and of all other Israeli settlement activities, as well as of all illegal measures and actions in Jerusalem;

5. Demands that Israel, the occupying Power, immediately cease and reverse all actions taken illegally, in contravention of international law, against Palestinian Jerusalemites;

6. Recommends to Member States that they actively discourage activities which directly contribute to any construction or development of Israeli settlements in the Occupied Palestinian Territory, including Jerusalem, as these activities contravene international law;

7. Demands that Israel, the occupying Power, make available to Member States the necessary information about goods produced or manufactured in the illegal settlements in the Occupied Palestinian Territory, including Jerusalem;

8. Stresses that all Member States, in order to ensure their rights and benefits resulting from membership, should fulfil in good faith the obligations assumed by them in accordance with the provisions of the Charter of the United Nations;

9. Emphasizes the responsibilities, including personal ones, arising from persistent violations and grave breaches of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;[2]

10. Recommends that the High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War convene a conference on measures to enforce the Convention in the Occupied Palestinian Territory, including Jerusalem, and to ensure its respect, in accordance with common article 1, and requests the Secretary-General to present a report on the matter within three months;

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[2] United Nations, Treaty Series, vol. 75, No. 973.

11. Calls for the reinjection of momentum into the stalled Middle East peace process and for the implementation of the agreements reached between the Government of Israel and the Palestine Liberation Organization, as well as for the upholding of the principles of the process, including the exchange of land for peace, and calls upon the two sides to refrain from actions that impede the peace process by pre-empting permanent status negotiations;

12. Stresses the need for actions in accordance with the Charter, to continue to ensure respect for international law and relevant United Nations resolutions;

13. Decides to adjourn the tenth emergency special session of the General Assembly temporarily and to authorize the President of the most recent General Assembly to resume its meetings upon request from Member States.

5th plenary meeting
15 July 1997